

ESTTA Tracking number: **ESTTA271894**

Filing date: **03/13/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186209
Party	Plaintiff Sizzler USA Franchise, Inc.
Correspondence Address	Jessica C. Bromall Jeffer, Mangels, Butler & Marmaro LLP 1900 Ave. of the Stars, 7th Floor Los Angeles, CA 90067-4308 UNITED STATES trademarkdocket@jmbm.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Jessica C. Bromall
Filer's e-mail	trademarkdocket@jmbm.com
Signature	/jessica c. bromall/
Date	03/13/2009
Attachments	Consent Motion to Extend - 3-13-09.pdf (3 pages)(8603 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<p>SIZZLER USA FRANCHISE, INC.,</p> <p style="text-align:center">Opposer,</p> <p style="text-align:center">v.</p> <p>ICON BURGER DEVELOPMENT COMPANY,</p> <p style="text-align:center">Applicant.</p>	<p>Opposition No.: 91/186,209</p> <p>Application Serial No.: 77/427,433</p> <p>Mark: SMASH SMASH.SIZZLE.SAVOR. & Design</p> <p>Published for Opposition: August 5, 2008</p> <p>Atty. Ref. No.: 59243-9074</p>
---	---

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

CONSENTED MOTION TO EXTEND

Opposer Sizzler USA Franchise, Inc. ("Opposer"), with the consent of applicant Icon Burger Development Company ("Applicant"), hereby requests that the remaining case management dates in this matter be extended by thirty (30) days, and reset as set forth below:

	CURRENT DATE	PROPOSED DATE
Initial Disclosures Due:	March 13, 2009	April 12, 2009
Expert Disclosures Due:	July 11, 2009	August 10, 2009
Discovery Closes:	August 10, 2009	September 9, 2009
Plaintiff's Pretrial Disclosures:	September 24, 2009	October 24, 2009
Plaintiff's 30-day Trial Period Ends:	November 8, 2009	December 8, 2009
Defendant's Pretrial Disclosures:	November 23, 2009	December 23, 2009

Defendant's 30-day Trial Period Ends:	January 7, 2010	February 6, 2010
Plaintiff's Rebuttal Disclosures:	January 22, 2010	February 21, 2010
Plaintiff's 15-day Rebuttal Ends:	February 21, 2010	March 23, 2010

The parties are discussing settlement and Applicant has specifically consented to the thirty (30) day extension requested herein.

Respectfully submitted,

Dated: March 13, 2009

/s/ Jessica C. Bromall

Rod S. Berman
Jessica C. Bromall
JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of the Stars, Seventh Floor
Los Angeles, CA 90067
(310) 203-8080
E-mail: trademarkdocket@jmbm.com
Attorneys for Opposer Sizzler USA Franchise, Inc.

CERTIFICATE OF SERVICE

It is hereby certified that on **March 13, 2009**, a copy of the foregoing CONSENTED MOTION TO EXTEND has been sent by first class mail, postage prepaid, to Applicant's attorney at the following address:

Timothy P. Gerzoff
HOLLAND & HART LLP
One Boulder Plaza, 1800 Broadway, Suite 300
Boulder, CO 80302

Dated: March 13, 2009

Joel Drake